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ARNOLD & PORTER

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Holly Logue Prutz  
Holly\_Prutz@aporter.com202.942.5243  
202.942.5999 Fax555 Twelfth Street, NW  
Washington, DC 20004-1206

October 3, 2003

Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application No. 09/206,040  
Filed: December 4, 1998  
Title: Nucleic Acid Molecules and Other Molecules Associated with  
Plants  
Inventors: Joseph R. BYRUM *et al.*  
Atty. Docket: 16517.137

Sir:

Forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO) is an Appointment of Associate Attorneys in the above-captioned patent application.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing matter number 16517.137.

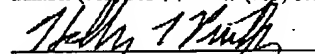
Respectfully submitted,



Holly Logue Prutz (Reg. No. 47,755)

Attachments

I hereby certify that the foregoing Transmittal letter is being facsimile transmitted to the attention of Examiner Scott D. Priebe, via facsimile number (703) 305-3014 and (703) 872-9306.

  
Holly Logue Prutz (Reg. No. 47,755)October 3, 2003  
Date

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Washington, DC 20004-1206**OFFICIAL****RECEIVED  
CENTRAL FAX CENTER****Fax Transmittal****OCT 06 2003****October 3, 2003**

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Examiner Scott D. Priebe Technology Center 1600 U.S. Patent & Trademark Office	(703) 305-3014  (703) 872-9306	(703) 308-7310	
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Holly Logue Prutz	(202) 942-5243	1196	
<b>CLIENT/MATTER NUMBER</b>	<b>TIMEKEEPER NUMBER</b>	<b>NUMBER OF PAGE(S)</b>	
16517.137	4998	We are transmitting 3 page(s) (including this cover sheet)	
<b>TRANSMISSION DEADLINE (DATE &amp; TIME)</b>		<b>ALTERNATE TELEPHONE NUMBER (OPTIONAL)</b>	
This document must be transmitted no later than: October 3, 2003		Alternate telephone number at which the sender can be reached if there are difficulties with this fax: (202) 942-6158	
If you experience difficulty receiving this fax transmission, please contact the operator at 202.942.5837.			
<b>Applicants:</b> Joseph R. BYRUM <i>et al.</i> <b>Appln. No.:</b> 09/206,040 <b>Filing Date:</b> December 4, 1998 <b>Title:</b> Nucleic Acid Molecules and Other Molecules Associated with Plants		<b>Transmitted herewith are:</b> 1. a Transmittal Letter; and 2. an Appointment of Associate Attorneys.	

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October 3, 2003

John Doll  
Director  
Crystal Mall 1 – 7<sup>th</sup> Floor  
1911 S. Clark Place  
Arlington, VA 22202

*via HAND-DELIVERY*

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OCT 06 2003

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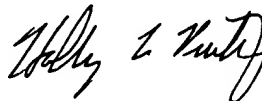
Re: U.S. Patent Application No. 09/206,040  
Filed: December 4, 1998  
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
Applicants: Joseph R. BYRUM *et al.*  
Atty. Docket No.: 16517.137

Dear John:

Pursuant to our telephone conference on Wednesday, October 1, 2003, please find courtesy copies of a Response and Amendment under 37 C.F.R. § 1.196(b)(1) to the Decision of the Board of Patent Appeals and Interferences and associated documents which were submitted today.

We look forward to hearing from you soon. In the meantime, if you have any questions, please do not hesitate to contact us.

Very truly yours,



Holly Logue Prutz

## Attachments

cc: George Elliott, Ph.D. (w/attachments, *via Hand-Delivery*)  
Examiner Scott D. Priebe (w/attachments, *via Hand-Delivery*)  
Thomas E. Kelley (w/o attachments)  
Lawrence M. Lavin, Jr. (w/o attachments)  
Joel M. Freed (w/o attachments)  
David R. Marsh (w/o attachments)

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October 3, 2003

U.S. Patent and Trademark Office  
Board of Patent Appeals and Interferences  
Crystal Gateway 2  
10<sup>th</sup> Floor, Room C01  
Arlington, VA 22202

*via HAND-DELIVERY*

Re: U.S. Patent Application No. 09/206,040  
Filed: December 4, 1998  
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
Applicants: Joseph R. BYRUM *et al.*  
Atty. Docket No.: 16517.137/38-21(15446)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (USPTO):

1. Response and Amendment under 37 C.F.R. § 1.196(b)(1) to the Decision of the Board of Patent Appeals and Interferences;
2. Information Disclosure Statement;
3. Form PTO-1449 (2 pages) with 2 accompanying references; and
4. Return postcard.

Please stamp the postcard with the filing date of these documents and return it to our courier.

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# ARNOLD & PORTER

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U.S. Patent and Trademark Office  
Board of Patent Appeals and Interferences  
October 3, 2003  
Page 2

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing matter number 16517.137. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joel M. Freed", written in a cursive style.

Joel M. Freed (Reg. Attorney No. 25,101)  
David R. Marsh (Reg. Attorney No. 41,408)  
Holly Logue Prutz (Reg. Attorney No. 47,755)

Attachments